

REMARKS

In the April 16, 2003 Restriction Requirement, the Examiner required an election between Group I, claims 1-35, directed to a lens comprising at least one layer, classified in class 351, subclass 163, and Group II, claims 36-39, directed to a method of manufacturing a lens having multiple layers, classified in class 351, subclass 177.

With regard to Group I, the Examiner further required an election of one of the following species: Group 1a, claims 1-9, which disclose a lens with three dielectric layers, Group 1b, claims 10-19, which disclose a lens with a metal layer and two dielectric layers, Group 1c, claims 20-23, which disclose a lens with two metal layers and two dielectric layers, Group 1d, claims 24-27, which disclose a lens with three dielectric layers and a metal layer, Group 1e, claims 28-29, which disclose a lens with at least one dielectric layer deposited in a gradient thickness, Group 1f, claim 30, which discloses a lens with at least one metal layer of gradient thickness covering part of the outer surface, Group 1g, claim 31, which discloses a lens having at least one gradient thickness metal layer and at least one gradient thickness dielectric layer, and Group 1h, claims 32-33, which disclose a lens comprising at least two zones of differently colored reflection.

With regard to Group II, the Examiner required an election of one of the species Group 2a, claim 36, which discloses a method of manufacturing a lens having three dielectric layers, Group 2b, claim 37, which discloses a method of manufacturing a lens having two dielectric layers and a metal layer, Group 2c, claim 38, which discloses a method of manufacturing a lens having two metal layers and two dielectric layers, and Group 2d, claim 39, which discloses a method of manufacturing a lens having three dielectric layers and one metal layer.

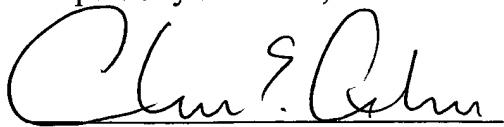
Applicants respectfully submit that the lens of Group I and the method of Group II are related, and that a single search can be performed to evaluate the patentability of all claims and would not place a serious burden on the Examiner (MPEP §803). Furthermore, Applicants respectfully submit that the species Group 1a – Group 1h and Group 2a – Group 2d are related, and that a single search can be performed to evaluate the patentability of all claims and would not place a serious burden on the Examiner. Accordingly, it is believed that the restriction and election requirements are not proper and withdrawal of the restriction and election requirements and examination of claims 1-39 is respectfully requested.

Notwithstanding the above, in order to comply with 37 C.F.R. §1.143, Applicants hereby provisionally elect Group I, claims 1-35, drawn to lens comprising at least one layer, and further provisionally elect the species of Group 1a, claims 1-9, drawn to a lens with three dielectric layers, to prosecute in this Application.

Applicants' provisional election is made without prejudice and Applicants respectfully reserve the right to file later divisional applications directed to the claims not elected over which the Examiner retains election requirements.

No fee, other than the one month extension fee, is deemed necessary in connection with the filing of this Response. However, if any fee is required, the Examiner is hereby authorized to charge the amount of such fee to Deposit Account No. 19-4709.

Respectfully submitted,

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Steven B. Pokotilow
Registration No. 26,405
Attorney for Applicants
STROOCK & STROOCK & LAVAN, LLP
180 Maiden Lane
New York, New York 10038-4982
(212) 806-5400